DOCUMENT RESUME

ED 034 487 HE 001 226

TITLE	A Proposal to Establish The Council of the Princeton University Community. A Report of the Special Committee on the Structure of the University.
INSTITUTION	Princeton Univ., N.J.
PUB DATE	May 69
NOTE	34p.
EDRS PRICE	EDRS Price MF-$0.25 HC-$1.80
DESCRIPTORS	Administrative Organization, Administrator Role, *Governance, *Higher Education, Intergroup Relations, *Policy Formation, Student College Relationship, *Student Participation, Teacher Participation, *University Administration
IDENTIFIERS	New Jersey, *Princeton University

ABSTRACT

To effect a system of university governance in which a broad range of opinion may be brought to bear on policy issues and in which differences of opinion within and among groups may be heard, Princeton University's Special Committee on the Structure of the University has proposed the establishment of the Council of the Princeton University Community. The proposed Council would have the authority to "consider and investigate any question of University policy, any aspect of the governing of the University, and any general issue related to the welfare of the University." Part I of this report presents the basic features of the Council, and states how it may be expected to operate in practice and how it would fit into Princeton's governmental structure. Part II contains the Charter of the Council, which describes the authority, membership, organization, and procedures of the proposed Council. The 57 Council members would include representatives of the faculty, administration, undergraduate and graduate students, alumni, the Staff Council, and the professional library, research, technical, and office staffs. The President of Princeton University would be the Council's presiding officer and Chairman of its 15-member Executive Committee. The Charter provides for six standing committees: one each on governance, rights and rules, priorities, relations with the local community, resources, and a judicial committee. (WM)

ED034487

A PROPOSAL TO ESTABLISH

THE COUNCIL OF THE PRINCETON UNIVERSITY COMMUNITY

A Report of the Special Committee on the Structure of the University

May, 1969

HE 001 226

U.S. DEPARTMENT OF HEALTH, EDUCATION & WELFARE
OFFICE OF EDUCATION

THIS DOCUMENT HAS BEEN REPRODUCED EXACTLY AS RECEIVED FROM THE PERSON OR ORGANIZATION ORIGINATING IT. POINTS OF VIEW OR OPINIONS STATED DO NOT NECESSARILY REPRESENT OFFICIAL OFFICE OF EDUCATION POSITION OR POLICY.

ED034487

A PROPOSAL TO ESTABLISH

THE COUNCIL OF THE PRINCETON UNIVERSITY COMMUNITY

A Report of the Special Committee on the Structure of the University

May, 1969

PREFACE

WHEN the Special Committee on the Structure of the University was formed last May, it was directed "to examine and make recommendations on the lines of communication, the decision-making processes, and the exercise of responsibility in University affairs." This is an extremely broad mandate, but we continue to regard it as appropriate to the needs which created this Committee. We had hoped to submit a complete report to the University community this spring and have worked very hard to do so. We found, however, that that deadline could be met only at great sacrifice to the quality of our presentation, and we are therefore reluctantly postponing submission of the full report until early next fall.

Nonetheless, we have concluded that, before submitting the entire report, we can and should give the University community an opportunity to act on one of our central proposals: That a Council of the Princeton University Community be established. This report contains a Charter for the Council, presented in the form in which we seek its adoption, and a discussion of the ways in which we see the Council functioning and of the reasons we believe it should be established.

The decision to ask for consideration of this proposal now was reached only after we had seriously considered withholding the proposal until next fall, when it could have been considered in the context of a much longer report and a broader set of recommendations. Four principal reasons lead us to ask for approval of the Charter of the Council in the spring of 1969 rather than in the fall of 1969.

First, we believe that this proposal has been discussed sufficiently by the Committee (at 16 meetings) and prepared with sufficient care to merit consideration now.

Second, this proposal is the result of an effort to which all members of the Committee have made important contributions, and we think that it should be considered while all members are available to participate in the discussion. As of next fall, three of our four undergraduate members and two of our three graduate student members will have left Princeton.

Third, we are convinced that the Council can make an important contribution to the life of the University, and we believe that it should be established in time to begin functioning early in the academic year 1969-70.

Fourth, we have considered the proposed Council in the context of broader questions of governance, and we believe that our interim report, this report, and the ensuing discussions of this proposal will provide a sufficient basis for informed judgments about the desirability of establishing the Council.

To facilitate consideration of this report, special meetings of the Undergraduate Assembly, the Faculty, and other groups will be called in the near future. Members of our Committee will be present at these meetings and will try to answer any questions not covered by the report itself.

This proposal for the establishment of a Council of the Princeton University Community is one of the principal results of almost a year of work by the Special Committee on the Structure of the University. It has the firm endorsement of all members of the Committee.

David P. Billington
Kathryn D. Boals
Richard D. Darby, Jr.
W. Joseph Dehner
Robert F. Goheen
Sheldon Hackney
Mark W. Janis
Suzanne Keller
Stanley Kelley, Jr. (*Chairman*)
Harold W. Kuhn
Aaron Lemonick
John H. Marks
Bruce J. Neilson
R. Bruce Partridge
Thomas Travis (*Secretary*)
Dan W. Verser

CONTENTS

PREFACE iii

I. THE PROPOSAL: RATIONALE AND BASIC FEATURES 1

The Authority and Functions of the Council 1

Membership of the Council 5

Elections and Terms of Members of the Council 6

Procedures of the Council 7

Organization of the Council: the President and the Executive Committee 7

Other Committees of the Council 8

Rights and Rules 9

Governance 9

Priorities 10

Relations with the Local Community 11

Resources 12

The Judicial Committee 12

Procedures for Amendment and Acceptance 14

General Principles and Objectives 14

II. THE CHARTER OF THE COUNCIL OF THE PRINCETON UNIVERSITY COMMUNITY 16

PART I

THE PROPOSAL: RATIONALE AND BASIC FEATURES

THE Charter of the Council of the Princeton University Community, presented as Part II of this report, describes in formal terms the authority, membership, organization, and procedures of the proposed Council. Here we will explain basic features of the Council; state how it may be expected to operate in practice; and define in general terms its place in the arrangements for governing Princeton. These tasks are best begun by discussing in order the major provisions of the Charter.

The Authority and Functions of the Council

The Council would have the authority to "consider and investigate any question of University policy, any aspect of the governing of the University, and any general issue related to the welfare of the University."[1] It would be primarily a deliberative body and could recommend action to any decision-making body of the University or to any officer of the University.

Clearly, this authority to investigate and recommend is quite unrestricted; the Council could consider any general issue that a majority of its members wanted to consider. We would expect the Council, however, to restrict itself, or at least to give priority, to subjects of widespread or especially intense concern in the University community. The range of questions which the Council might be expected to consider on a continuing basis can perhaps best be illustrated by listing the relevant standing committees proposed in the Charter: Rights and Rules, Governance, Priorities, Relations With the Local Community, and Resources. Many of the most controversial issues raised and debated at Princeton in the last two years—the University's relationship to the Institute for Defense Analyses, the adequacy of arrangements for counseling students about their draft status, the holding of stock in companies doing business in South Africa, the use of University facilities by residents of the local community, recruiting on campus by the military services—any of these matters might have been brought to the Council for its consideration and recommendations.

[1] Unless otherwise noted, quoted passages are from the Charter.

In considering issues of this kind, the Council would be, in effect, a permanent conference of the representatives of all the major groups of the University. There they could each raise problems that concern them and there they could be exposed to each other's views. The Council would afford an opportunity for them to find generally acceptable solutions to the common problems of the University community. If they should do so, there would be no question but that the Council's recommendations would carry great weight. If they should fail to reach agreement, however, or if they were to reach an agreement which did not reflect substantial bodies of opinion, then their recommendations would not be very influential, and they should not be. The point we are making is simple: The power of the Council would not depend in any fundamental sense on the authority given it on paper. It would depend on the Council's performance. If it should function well, it would be powerful. If it should fail to function well, any paper powers given it would only be a hindrance to the effective functioning of the University, not a help.

The Faculty and the Undergraduate Assembly would of course continue to have special responsibilities for questions of direct relevance to their members, as well as the same opportunities to discuss general questions which they have now. We would not expect the Council to concern itself more than peripherally with the undergraduate and graduate courses of study, even though they are important subjects. Using new procedures for involving students in questions of curriculum and academic policy, procedures which we will recommend, the Faculty would continue to bear major responsibility for academic policy. Questions concerning the appointment and advancement of individual members of the Faculty would also fall outside the province of the Council.

Recommendations by the Council on any major question of general University policy could presumably be considered by the Faculty and the Undergraduate Assembly (and possibly by a graduate student organization, if such is created), as well as by the appropriate University officers. Princeton, unlike some other universities, has two strong, functioning institutions in the Faculty and the Undergraduate Assembly. In proposing the establishment of the Council, we do not want to lessen the importance of either group, and we do not think we have done so.

There is, however, one set of concerns which we believe should

be the direct responsibility of the Council. We refer to rules of conduct. There is a strong case for having one body responsible for representing the interests of the entire University community in this set of concerns since otherwise inequities and inconsistencies could be frequent. Increasingly, university communities are unwilling to accept such a state of affairs. Having considered a number of alternative ways of locating this responsibility, we have concluded that the Council is the most appropriate body.

Therefore, we propose to give the Council authority to make rules which will be binding on all members of the University community, to oversee rule-making by other bodies within the University community, and to oversee all applications of rules.

In our view, the Council should normally limit its own making of rules to those that would apply to all resident members of the University community.[2] It might, for example, make rules about such subjects as damage to University property, protests and demonstrations, library privileges and obligations, parking, or the use of Princeton's name and seal. Other representative bodies in the University would continue to make rules on many specialized subjects.

And we think they should. In instances where specific subjects are of substantial concern mainly to a particular group within the University community, authority to make rules on such subjects should be located in the group concerned for at least two reasons: The persons most interested in particular subjects are those most likely to know what kinds of rules are needed; they are also the ones most likely to be able to frame rules that can win the compliance of those whose compliance is required.

We would also expect many rules to continue to be made by administrative officers. In the case of Library regulations, for example, the Librarian's expertise and experience equip him to frame a set of rules that are likely to be more satisfactory to all concerned than those adopted by any representative body which had not devoted great effort and study to the intricacies of library operations. The Council (or its Committee on Rights and Rules) might take issue with the Librarian on some matter, but most of

[2] In using the term, "resident members of the University community," we refer to all regularly enrolled students and all persons regularly employed by the University.

the time it should leave the rule-making in his hands as a matter of simple convenience.

It is of course true that, on some occasions, the University community as a whole may be interested in a subject which would not ordinarily concern it. It might be, for example, that a particular group within the University failed to give adequate protection to the rights of some of its members. In such a case, the general interests of the community can be protected, even if initial responsibility to make rules is decentralized, as they have been protected in the new arrangements regarding dormitory regulations for undergraduate students. At its April meeting the Board of Trustees delegated the authority for the formulation of social rules and standards for dormitory residents to the Faculty, with the understanding that the Faculty would in turn delegate this authority to the residents of dormitories. Under these new arrangements, the Faculty is to maintain a general oversight of the making and applying of rules regarding conduct in the dormitories, the Undergraduate Assembly will define dormitory units and procedures for making and applying rules in those dormitories mainly populated by undergraduate students, and the rules will be made by the dormitory residents themselves. We think these arrangements are good ones and would suggest only one important change: In our opinion, the Faculty should assign its responsibility for oversight to the proposed Council and accept oversight by the Council of the Faculty's own making of rules on non-academic subjects.

Overseeing the making and applying of rules of conduct by other bodies and by officers of the University would be one of the Council's important functions. This function would be exercised for "the purpose of insuring that such rules protect the rights of individuals and the legitimate interests of the University and that they are clear in meaning, fair, enforceable, and in conformity with the law." Because supervision would be exercised to guard and foster these general interests, we believe it should be the responsibility of a body in which a broad range of views would be brought to bear on any issues that might arise in connection with rules of conduct or their enforcement. In such a body members of the University's various constituent groups would have a chance to arrive at a common conception of the interests of the University, and that, in the long run, is the strongest possible base on which to build support for such interests.

We also propose to assign important responsibilities for hearing cases involving violations of rules of conduct to a Judicial Committee of the Council. The functions and procedures of this special committee are described in detail later in this report.

Membership of the Council

The Council would be a body of fifty-seven members. Of these, seven would be senior officers of the Administration; eighteen would be members of the Faculty; fourteen would be undergraduate students; eight would be graduate students; four would be alumni; five would represent the Staff Council, the Professional Library Staff, the Professional Research Staff, the Professional Technical Staff, and the Office Staff respectively; and one would represent members of the University staff not otherwise represented.

Several features of the membership proposed for the Council should be noted. First of all, membership reflects a very inclusive definition of the University community. It recognizes as members not just students, members of the Faculty, and senior administrators, but alumni and all those regularly in the employ of the University as well. We know of no deliberative body at any university that represents a broader set of interests, and most represent a much narrower set. The reason we have proposed such an inclusive membership can be simply stated: All groups who would be represented on the Council contribute to achieving the University's central purposes and deserve a voice on questions of University policy.

Secondly, care has been taken to represent some of the major interests within a number of groups to be represented on the Council. Thus, of the Faculty's representatives on the Council, at least two would be from each of the major Divisions of the University and at least five would be non-tenured members of the Faculty. With the graduate students, similarly, there would be at least one member from each Division, and among the undergraduate representatives, at least four would be undergraduate students who were not members of the Undergraduate Assembly.

Thirdly, we would point out that the number of votes a group may have, or the count of votes on some particular resolution, would not normally be of central importance in the operations of the Council as we understand that body's functions. In almost all

cases, what should matter more is how strongly the representatives of a group feel about a subject under discussion. If any constituency represented on the Council were to be strongly opposed to any course of action, it should be a signal for the Council to reconsider it, even if a majority of the members of the Council should favor the course of action in question. Or, if the Council should be almost evenly divided on a question, it should seek further for solutions, whether or not divisions follow the lines of constituencies. For the Council to follow these operating principles would be both in the interests of the Council and of the University. It would be in the interest of the Council because it would find most of its efforts going for naught, were it not to present its recommendations with substantial majorities behind them. For the Council to follow these precepts would be in the University's interest, because the continued presence of unresolved differences of opinion is itself a major obstacle to the realization of some of its important objectives.

Fourth, it should be noted that participation in the work of the Council would not be limited to its fifty-seven members. The Charter provides explicitly that "a Legal Counsel, the Chairman of the University Research Board, and other officers of the University shall meet with Council as may be necessary," and that "upon the invitation of the Council or of its Executive Committee, other members of the University Community who are not members of the Council may also participate in the deliberations of the Council." The Charter further provides that members of committees of the Council need not be members of the Council itself. We attach considerable importance to this provision, because it would allow the Council to draw upon the talents and interests of the entire University community, while reducing the chances that the work of the Council would make excessive demands on the time of its members.

Elections and Terms of Members of the Council

The procedures specified in the Charter for electing members of the Council are for the most part quite standard. They do differ from usual practice by requiring the Faculty, the Undergraduate Assembly, and the graduate students to use the system of the single transferable vote in electing representatives and the Professional Library Staff and the Staff Council to use the system of the alternative vote.

Both these electoral systems require voters to rank candidates, that is. to declare their first, second, and third preferences, and so on. The system of the single transferable vote, used where two or more representatives are to be chosen simultaneously, insures that different bodies of voters within a group will succeed in electing representatives in rough proportion to their strength in numbers. The system of the alternative vote, used where only one representative is to be chosen, helps to insure that the successful candidate will enjoy majority support in the group he is to represent. If the members of the Council are to represent the University community as a whole, it is important to realize both these objectives insofar as possible.

The lengths of terms set for Council members represent a compromise of two objectives: To permit changes in opinion within the various constituent groups to be reflected quickly in each group's choice of representatives, and to insure that the Council itself will have some continuity in its membership. Where a group had only one representative, he was given a one-year term. Undergraduate representatives were also given one-year terms, while graduate students and alumni are assigned two-year terms, and members of the Faculty three-year terms. In no case did we think there should be any bar to re-election of members.

Procedures of the Council

The proceedings of the Council would be governed by rules that now govern the Faculty or the Undergraduate Assembly or both. Parliamentary procedures would be those of *Robert's Rules of Order Revised*, modified in the same way that they have been modified for meetings of the Faculty. As in the Faculty, important proposals would be circulated in advance of meetings. The Council's agenda and minutes would be public, and the meetings of the Council would normally be open, as they are in the Undergraduate Assembly. Reports of the Council would also ordinarily be public.

Organization of the Council: The President and the Executive Committee

The Charter makes the President of the University the presiding officer of the Council and Chairman of its Executive Committee. There is a good reason for these arrangements. We both hope and expect the Council to become a major influence in developing and

setting policy for the University. If that hope and expectation are realized, the Chairmanships of the Council and of its Executive Committee would almost certainly become positions of great prestige. Anyone other than the President of the University holding these positions, would all too easily be seen, and might see himself, as a rival to the President. Occasions certainly may arise when a President should be removed from office, but we doubt that the University would often benefit from the presence on the campus of rival presidents.

The President would share leadership of the Council with its Executive Committee. That Committee would have fifteen members, of which at least six would be members of the Faculty; at least three, undergraduate students; and at least two, graduate students. The three additional members might be chosen from any group represented on the Council. The Executive Committee's power as stated in the Charter may not appear impressive: It is to set the Council's agenda and to appoint the members of committees of the Council. We would expect the Executive Committee, in practice, however, to be one of the most important committees in the University, if not the most important. It should be a kind of University Committee on Committees, and, in addition, should assume many of the important functions now served by the joint faculty-student committee on policy.

The procedures for the selection of members of the Executive Committee were developed with two chief objectives in mind. We thought that the Executive Committee ought to be responsive to changes in opinion in the various groups choosing its members; hence, the terms of office are not longer than one year. We also thought that the membership of any group on the Executive Committee should reflect diversity of opinion within that group. For that reason, all those members of the Executive Committee who do not serve *ex officio* are to be chosen according to the system of the single transferable vote.

Other Committees of the Council

The Council would have to carry on a great deal of its business in committees. In the Charter we have provided for six committees, in addition to the Executive Committee. Although their particular roles can best be discussed committee by committee, they have several common features that deserve comment. With very few

exceptions, all members and all chairmen would be appointed by the Council's Executive Committee with the consent of the Council. We think this a better way of getting a good distribution of talent and interests among all the committees than any elective procedure. Committee members and chairmen, again with very few exceptions, would serve for terms of one year, but without limitation as to reappointment. This seemed the best way to make the activities of the committees responsive to the Council, while still allowing for continuity in membership. Chairmen of committees would acquaint all new members with their committees' responsibilities and procedures.

The Committee on Rights and Rules—The Committee on Rights and Rules would be responsible, on the Council's behalf, for overseeing the making and the applying of rules of conduct in the University. The Committee would regularly review any changes in rules of conduct made by officers of the University or by bodies other than the Council. It would also seek to discover how well rules were working and whether particular rules, or the absence of rules, were consonant with the overall interests of the University. The officers of the University, particularly the Dean of Students, the Dean of the Graduate School, and the Dean of the Faculty, all of whom would be members of the Committee, would be helpful sources of information. We also think that it should be possible for any member of the University community to appear before the Committee to raise general issues about rules. The Committee would report on its activities to the Council at least once a year and would propose to the Council any revisions of rules and procedures that its studies suggested.

The Committee on Governance—From our study of the governing of Princeton University and of the experience of other universities, we are convinced that attention to university government should not be something reserved for emergencies. We therefore propose the establishment of a committee that would, on behalf of the Council, give continuing attention to the governing of the University. And we would assign that committee two other important functions as well.

The first of these would be to consult with the Executive Committee of the Board of Trustees about the filling of vacancies among the Charter Trustees and the Term Trustees. In doing so, it would present to the Executive Committee of the Board its views

concerning the qualifications to be sought in nominees to fill such positions, would suggest the names of persons that it would like to have considered as nominees, and would be entitled to comment on the qualifications of any persons suggested as nominees.

As we conceive it, the kind of consultation the Committee on Governance would undertake should be similar to that between committees of the Board and committees of the Faculty in the choice of a President; that is, it should be a consultation in which every effort is made to insure that new Board members are acceptable both to the Committee on Governance, acting for the Council, and to the Board of Trustees. Needless to say, we think that this aspect of the work of the committee would be an extremely important one. It should help to bring greater diversity to the membership of the Board of Trustees and to improve the relations of the Board with other members of the University community. It should do so, moreover, without impairing the ability of Board members to bring independent judgment to bear in reviewing the quality of the Faculty and the performance of Administrative officers.

The Committee on Governance would also consult with the Committee on Honorary Degrees of the Board of Trustees concerning the awarding of honorary degrees. Until this year honorary degrees were awarded by the University after consultation of that committee of the Board with the Faculty Committee on Honorary Degrees. This year two members of the senior class were consulted as well. The proposal to have the Committee on Governance carry on such consultations in the future would extend the range of those consulted still further.

The Committee on Priorities—In our interim report we proposed that a group representing the whole University community review the annual budget of the University, consider major questions and issues that arise in the preparation of the budget, and examine plans for development in advance of any final decisions on such plans. We thought then, and still think, that such an arrangement would increase the accountability of the Administration to the University community. It should, first of all, yield a kind of accountability in anticipation: The administrative officer who knows that he will have to justify a set of decisions is apt to take care that his decisions are justifiable. Secondly, the arrangement should encourage a different kind of accountability than that which

the review procedures of the past have emphasized. The Board of Trustees has been particularly alert to the implications of budget decisions and development plans for the fiscal integrity of the University; students and faculty members will be particularly alert to what they mean for the quality of educational opportunities at Princeton.

The Charter of the Council places the responsibilities just discussed in a Committee on Priorities. Its members would include six members of the Faculty, four undergraduate students, two graduate students, one member from one of the other groups represented on the Council, and three of the officers most directly involved in the preparation of the budget and development plans—the Provost, the Dean of the Faculty, and the Financial Vice-President and Treasurer. The Committee would be expected to do two equally important things: To advise the President on questions regarding the allocation of resources and to keep the Council, and the University community in general, informed about the issues arising from the budgetary process and the establishment of development plans.

The Committee on Relations with the Local Community—The University's policies with regard to employment; housing; construction of buildings; rules of conduct; and social, recreational, and cultural facilities have a substantial impact on our neighbors. Conversely, the actions of the municipal governments, the state of local services, and general conditions in the community (for example, the shortage of low-income housing) have important consequences for the University and its personnel. Our necessarily brief study of the state of the University's relations with the town makes it clear that this set of questions requires more attention than it has received in the past, both from the Administration and from other members of the University community.

The Administration has already taken steps to assign more definitely the responsibility for developing policies toward the local community and for handling relations with it on a day-to-day basis. We would supplement these efforts by creating a Committee on Relations with the Local Community with a membership including students and members of the faculty and staff. This Committee, on behalf of the Council, would investigate the relations of the University with the local community and suggest ways to improve them.

The Committee on Resources—A number of important and very difficult issues of policy have been raised in the past year concerning management of the University's financial resources and of its fund-raising activities. The extent to which moral and political criteria should play a part in decisions concerning investments and the acceptance of gifts has been one such issue. Another, less widely discussed, has concerned the treatment of capital gains and the broader question of the degree of emphasis to be given to immediate financial needs as compared with future needs. Such issues would be the continuing concern of the Committee on Resources.

The Judicial Committee—The Council's Judicial Committee would hear and decide, either in the first instance or on referral from one of the other judicial bodies, "cases that involve alleged violations of those established rules and regulations whose violation constitutes a serious infringement of the recognized rights of members of the University community, a serious offense against the University's mission, a threat to the ability of the University to carry on its essential operations, or a substantial impairment of the common and legitimate interests of the University." The Committee would also hear and decide appeals from persons found guilty of violations of rules by other judicial bodies, when such persons have claimed that the proceedings against them have not been fair and reasonable. The Committee's members would include three members of the Faculty, two undergraduate students, one graduate student, one member from one of the other groups represented on the Council, and a Chairman who would not vote except in the case of a tie. The Chairman would be appointed by the President of the University with the consent of the Council. Other members would be appointed by the Executive Committee of the Council with the Council's consent. Questions concerning the Committee's jurisdiction in particular cases would be decided by the Committee itself, although the Council might act to clarify ambiguities in the Committee's jurisdiction. The Committee's decisions would be subject to review by the President of the University who might reduce, but not increase, any penalties imposed by it.

In recommending the establishment of the Judicial Committee, and in the arrangements we propose for it, we seek to realize several objectives. The first of these is to insure that members of the

University community, if they stand accused of the same offense and if it is a serious one, will have their cases decided in accordance with the same interpretation of the rules involved. Under existing arrangements, cases of alleged offenses by undergraduates, graduate students, faculty members, and staff members would be heard by different judicial bodies, and there is no mechanism to prevent the different judicial bodies from putting quite different constructions on the same rule. Even under our proposal, different penalties might be assigned, as a result, for example, of differences in the nature of the relationship between the University and a group of employees, on the one hand, and a group of students, on the other. However, any such differences in treatment would have to be determined by a single group representing the entire University community, and would have to be explained and defended.

Our second objective is to assign to the Judicial Committee a clearly judicial role. Its members should apply rules, not make them; the Committee should be insulated from the pressures of constituencies; and it should be asked to give reasons for its decisions. Thus, we would make appointment to a position on the Committee contingent on the appointee's agreement "to apply established rules and regulations impartially to the facts of individual cases." We propose a procedure that would permit a member who finds he cannot in good conscience apply an established rule in a particular case to be replaced by an alternate member. We would exclude from membership on the Committee any officer of the University who is directly responsible for enforcing rules or for keeping order on the campus. We would also exclude from membership those who hold or seek certain elective positions—members of the Council, for example, and members of the Undergraduate Assembly. We would require the Committee to file written reports on its disposition of cases.

A third objective is to establish a body that will support, both by example and by its review of appeals from other judicial bodies, a proper respect for the rights of those accused of violations of rules. It should be bound by, and it should enforce on all others involved in applying rules of conduct, those procedures set forth in the document, *Students and the University*: Persons accused of violating rules should be informed in writing of the charges against them, should have the right to present witnesses and question opposing witnesses, and should be able to obtain on request a

summary record of the proceedings. We think also that an accused person should have the right to request an open hearing and to have an adviser from within the University community who may speak on his behalf.[3]

Procedures for Amendment and Acceptance

The provisions in the Charter with regard to amendments make it easy to introduce them for consideration by the Council and not too difficult to have them adopted, if they enjoy substantial support in the University community as a whole. The provision relating to the acceptance of the Charter was intended to prevent any one group that is to be represented on the Council from delaying its establishment simply by inaction. Obviously, however, the sooner all groups to be represented on the Council indicate their willingness to participate in it, the more effective a body it will be.

General Principles and Objectives

Implicit in all that we have said above are some general conceptions of the way in which we believe Princeton University ought to be governed. In concluding this discussion of our proposal for the establishment of the Council, we shall make a few of these explicit.

Our proposal reflects a firm commitment to a system of university governance in which a broad range of opinion can be brought to bear on many issues of policy and in which differences of opinion within groups as well as among them will be heard. We are under no illusion that the establishment of the Council, or that the adoption of the other recommendations we shall be making, will in themselves resolve all differences of opinion. We do believe that the measures we are proposing will promote understanding and accommodation; that they will eliminate many apparent differences that are based simply on misinformation or the lack of opportunity for a candid exchange of points of view; and that they will increase the likelihood that even those who disagree with a particular course of action will accept the decisions reached.

In pursuit of those objectives, we have not sought for any simple formula which would tell us who ought to have what degree of

[3] We did not consider the Honor System in our deliberations and, therefore, make no judgment as to whether the procedures to be required of those groups involved in applying rules of conduct should also be required of the Honor Committee.

"power in general." Rather, as we promised in our interim report, we have tried to consider in quite specific terms who ought to participate in what kinds of decisions. At no time have we found general analogies to systems of government characteristic of other organizations—whether they be nation-states, corporations, hospitals, trade unions, cooperatives, or private clubs—directly applicable to the University.

In advocating the desirability of wider participation in governing the University, we are not advocating a system in which all decisions are based on majority vote or in which compromise becomes the only end of policy makers. Indeed, we expect the President and the other officers of the University to lead. They should have the capacity to elicit support for University policies and they should also take the initiative in shaping policies. It is because we recognize the need for effective leadership that we recommend important roles in the Council for the President and other administrative officers.

We are aware that our plan for the Council entails costs. These would include not only salaries and indirect costs associated with additional staff assistants and clerical help but, more importantly, the time of faculty members, students, administrators, alumni, and Trustees. It is possible that with experience we would see that the time involved in conducting the affairs of a particular committee was not justified by the results. We are convinced, however, on the basis of what we know now, that the advantages of the various features of the Council would be well worth the demands they would make on time and resources.

In deciding whether they agree with this proposal, members of the University community must of course address themselves to the specific provisions of the plan which are embodied in the Charter. We would ask, however, that final judgments be based on an evaluation of the plan as a whole. As we see it, the basic question is whether, on balance, adoption of this Charter seems desirable. In arriving at the various provisions, members of our Committee have had to resolve many differences of opinion. Clearly we have not reached the only possible conclusion on the many points at issue, but we have developed a proposal that we believe merits the full support of the University community.

PART II

THE COUNCIL OF THE PRINCETON UNIVERSITY COMMUNITY

CHARTER

1

The Council of the Princeton University Community shall have authority to

consider and investigate any question of University policy, any aspect of the governing of the University, and any general issue related to the welfare of the University; and to make recommendations regarding any such matters to the appropriate decision-making bodies of the University or to the appropriate officers of the University;

make rules regarding the conduct of resident members of the University community, which rules shall be binding on them; but the Council may delegate authority to make rules, and, with respect to matters mainly of concern to a particular group within the University community, the authority to make rules shall normally be delegated to a body representing that group or shall be exercised in a manner otherwise acceptable to the members of that group;

oversee the making and the applying of rules regarding the conduct of resident members of the University community, whether such rules shall have been made by other bodies within the resident University community, or by the Council itself, or by officers of the University; such oversight shall be exercised for the purpose of insuring that such rules protect the rights of individuals and the legitimate interests of the University, and that they are clear in meaning, fair, enforceable, and in conformity with the law;

adopt such by-laws and rules of procedure as are necessary or convenient for the exercise of its authority.

2

2.1 The membership of the Council of the Princeton University Community shall consist of

the President of the University, the Provost, the Financial Vice-President and Treasurer, the Dean of the Faculty, the

Dean of the Graduate School, the Dean of the College, and the Dean of Students;

eighteen members of the Faculty, among whom each Division must be represented by at least two members and the non-tenured faculty by at least five members;

fourteen undergraduate students, among whom will be the President, the Vice-President, the Secretary, and the Treasurer of the Undergraduate Assembly, and at least four undergraduate students who are not members of the Undergraduate Assembly;

eight graduate students, among whom each Division must be represented by at least one member;

four alumni of the University;

one member each from among the Professional Library Staff, the Staff Council, the Professional Research Staff, the Professional Technical Staff, and the Office Staff;

and one member from the staff of the University who holds none of the offices and is a member of none of the groups so far indicated.

2.2 A Legal Counsel, the Chairman of the University Research Board, and other officers of the University shall meet with the Council as may be necessary and may speak to issues, but shall be without vote; and, upon the invitation of the Council or of its Executive Committee, other members of the University Community who are not members of the Council may also participate in the deliberations of the Council, although not in voting.

2.3 Before the April meeting of the Faculty, the Advisory Committee on Appointments and Advancements of the Faculty shall present to the Faculty by mail twice as many nominees as there are vacant posts to be filled by Faculty representatives on the Council. Additional nominations to the Council may be made from the floor at the April Faculty meeting. On May 1, the Clerk of the Faculty will mail to each member of the Faculty entitled to vote a ballot containing the list of nominees, with instructions to return his ballot to the Clerk's office by noon of May 10, at which time the poll shall be closed. Voting shall be according to the system of the single transferable vote, modified, when that is necessary, to insure representation for each Division and for non-tenured members of the Faculty as provided in Part Two, Section One above.

Faculty representatives on the Council shall be elected to serve for a term of three years, terms to begin at the beginning of the academic year, and with the terms of six such representatives to be completed each year.

2.4 At the first regularly scheduled meeting of the Undergraduate Assembly after its Fall elections, and, similarly, at the first regularly scheduled meeting of the Assembly after its Spring elections, the Executive Committee of the Assembly shall present to the Assembly twice as many nominees as there are vacant posts to be filled on the Council by undergraduate students. In each case, additional nominations may be made from the floor at the same meeting or at the next regularly scheduled meeting, at which time, nominations being closed, elections for the vacant posts shall be held. Voting shall be by secret ballot according to the system of the single transferable vote, modified, when that is necessary, to insure membership on the Council of at least four undergraduate students who are not members of the Undergraduate Assembly. Representatives of undergraduate students on the Council shall be elected by the Assembly to serve for a term of one year or until their successors shall have qualified, and, of those who are not *ex officio* members of the Council, the Assembly will normally elect five in the Fall and five in the Spring.

2.5 At a meeting in April a University-wide body representing graduate students shall nominate for membership on the Council at least twice as many graduate students as there are posts to be filled on the Council by graduate students and such nominations shall be made public. Additional nominations may be made on petition of any twenty-five regularly enrolled graduate students, but nominations shall be closed and elections shall be held no later than May 10. In such elections, all regularly enrolled graduate students shall be entitled to vote, and voting shall be by secret ballot according to the system of the single transferable vote, modified, when that is necessary, to insure representation from each Division. Representatives of graduate students on the Council shall be elected for a term of two years, terms to begin at the beginning of the academic year, and with the terms of four such representatives to be completed each year.

2.6 Before the April meeting of the Staff Council, a nominating committee chosen by that group shall present to its members by mail the names of at least two nominees for the post on the Council of the Princeton University Community that is to be filled by a member of the Staff Council. Additional nominations for the post may be made from the floor at the April meeting of the Staff Council. As soon thereafter as may be practicable, the President of the University shall cause to have sent to each member of the Staff Council a ballot containing the list of nominees, with instructions to return it to the President's office within ten calendar days, at which time the poll shall be closed. Voting shall be according to the system of the alternative vote. Members of the Staff Council shall be elected to serve on the Council of the Princeton University Community for a term of one year, the term to begin at the beginning of the academic year.

2.7 Before a meeting in April of the Professional Library Staff, a nominating committee chosen by that group shall present to its members by mail the names of at least two nominees for the post on the Council to be filled by a member of the Professional Library Staff. At a meeting in April additional nominations may be made from the floor. As soon thereafter as may be practicable, the University Librarian shall cause to have sent to each member of the Professional Library Staff a ballot containing the list of nominees, with instructions to return it to his office within ten calendar days, at which time the poll shall be closed. Voting shall be according to the system of the alternative vote. Members of the Professional Library Staff shall be elected to serve on the Council for a term of one year, the term to begin at the beginning of the academic year.

2.8 Alumni representatives on the Council of the Princeton University Community shall be nominated by the Nominating Committee of the Alumni Council, and the names of the nominees shall be presented to the Alumni Council before its Spring meeting. At that meeting additional nominations may be made from the floor, and, nominations being closed, an election shall be held. Alumni representatives on the Council of the Princeton University Community shall be elected to terms of two years, such terms to begin at the beginning of

the academic year. Normally, two alumni representatives will be elected each year.

2.9 If there is no representative body to act on behalf of a group to be represented on the Council, the Council itself may elect members to represent that group, nominations for all such posts having been made by the Executive Committee of the Council; or the Council may make whatever other arrangements for the selection of such members it deems desirable.

2.10 Any member of the Council may be recalled by the body by which he was chosen. For all members except those representing graduate students, such a recall vote shall be held upon petition of one-fourth of the members of that body, or as may otherwise be provided by it. For members representing graduate students, a recall vote shall be held upon petition of two hundred regularly enrolled graduate students. In any recall vote, a majority of the votes cast for recall shall cause the recall of the member and his seat shall thereby become vacant.

2.11 If a vacancy shall occur in any post on the Council before the member elected to fill that post shall have completed his term, the vacancy shall be filled for the remainder of the unexpired term in the same manner in which the member who held that post was chosen; excepting that, where but one vacancy is to be filled and the member who held the vacant post was elected by the system of the single transferable vote, election by the system of the alternative vote shall be deemed equivalent.

2.12 No person shall simultaneously hold more than one membership on the Council.

2.13 Representatives on the Council, excepting those elected by the Council itself, shall regularly, by appropriate means, report on the activities of the Council to the bodies by which they were elected.

2.14 The Council shall be the judge of the qualifications of its members.

3

3.1 The President of the University, or in his absence the Provost, shall be the presiding officer at meetings of the Council.

3.2 The Secretary of the Council shall keep the minutes of all

meetings, notify members of the Council of special meetings and of important matters proposed for action at any meeting, make public the reports of the Council and its committees and the minutes of all meetings not held in executive session, and perform the duties appropriate to the recording secretary of a deliberative body. He shall be appointed by the Executive Committee of the Council with the advice and consent of the Council, to serve for a term of one year.

3.3 The Council shall, at its first meeting of the academic year, adopt a schedule of meetings for the remainder of the year, which schedule it shall make public.

3.4 The President of the University, or in his absence the Provost, may at his discretion call a special meeting of the Council. The President of the University, or in his absence the Provost, shall call a special meeting of the Council on the request of a Committee of the Council, of any ten members of the Council, of any body electing representatives to the Council, or of a University-wide body representing graduate students. The call for a special meeting shall state the purpose for which the meeting is called.

3.5 All important proposals shall be delivered in writing to the Secretary of the Council not less than five calendar days preceding the meeting at which they are to be introduced, and the Secretary shall cause such proposals to be distributed to members of the Council and placed on the Order of Business for that meeting, provided that no such proposal offered by an individual member shall be so treated unless it shall have been seconded by another member. This rule may, however, be suspended by a vote of a majority of those present and voting at a meeting of the Council.

3.6 The Secretary of the Council shall make public the Order of Business at any meeting of the Council at least two days in advance of that meeting, if it is a regularly scheduled one, or at the time it is called, if it is a special meeting. Meetings of the Council shall be open to members of the University community to attend as spectators, except that the presiding officer of the Council shall, on the vote of a two-thirds majority of the Executive Committee of the Council, or on the request of one-third of the members of the Council, call the Council into executive session.

3.7 A quorum of the Council shall consist of fifteen of its voting members.

3.8 The parliamentary procedure at meetings of the Council shall be that of *Robert's Rules of Order Revised*, with the following modifications:

To Section 60. Reports of committees containing matters which should be of record shall be in writing. Unless otherwise ordered, these reports shall be made public and placed on file, and only the recommendations in them which are adopted shall be recorded in the minutes.

To Section 55. When the Council goes into Committee of the Whole, the officers of the Committee shall be those of the Council. A motion to go into the Committee of the Whole is not debatable.

To Section 36. A motion to reconsider may be moved at the meeting in which the original vote was taken, or at the next meeting, by anyone present when the vote was taken who did not vote in the majority.

To Section 58. The presiding officer shall have the same right of debate as other members, and need not yield the chair when speaking.

To Sections 7 and 42. The maker of a motion shall be permitted to close the debate on that motion even after the previous question has been voted. A member may speak a second time on a motion in order to clear a matter of fact, or to explain himself in some material part of his first speech.

4

4.1 The Executive Committee of the Council shall set the Order of Business for meetings of the Council, and, with the Council's consent, shall appoint the members and designate the chairmen of all standing committees of the Council, except members or chairmen serving *ex officio* and the Chairman of the Judicial Committee, who shall be appointed by the President of the University with the consent of the Council. Such appointments shall be presented to the Council for its approval at the first meeting of the Council in the Fall term, notice of such appointments having been given to members of the Council at least five days in advance of that meeting. The Executive Committee may consider any matter within the

jurisdiction of the Council and, subject to the approval of the Council at its next regularly scheduled meeting, may appoint such special committees as it deems necessary or desirable.

4.2 The Executive Committee of the Council shall consist of fifteen members, who shall include the President of the University; at least six members of the Faculty; the President of the Undergraduate Assembly and at least two other undergraduate students; and at least two graduate students. The Provost shall normally meet with the Executive Committee, and, when representing the President of the University, shall have the vote. Other officers of the University may sit with the Executive Committee and speak to issues but shall be without vote.

4.3 As soon after May 10 as shall be practicable, the Clerk of the Faculty shall mail to each member of the Faculty entitled to vote a ballot containing the names of the eighteen members of the Faculty who are to serve as members of the Council for the ensuing year. The Faculty will be instructed to vote for six of these to serve terms of one year as members of the Executive Committee of the Council, those terms to begin at the beginning of the next academic year. Voting will be according to the system of the single transferable vote, modified, when that is necessary, to insure that at least one of the six chosen will be a non-tenured member of the Faculty and that each Division is represented among those chosen.

4.4 As soon after each election of representatives of undergraduate students to the Council as may be practicable, the Undergraduate Assembly shall elect two from among the undergraduate students who are members of the Council, to serve as members of the Executive Committee of the Council until their successors shall have qualified. Voting shall be according to the system of the single transferable vote.

4.5 As soon after the election of graduate student representatives to the Council as may be practicable, a University-wide body representing graduate students shall elect two from among such representatives to serve terms of one year as members of the Executive Committee of the Council, those terms to begin at the beginning of the next academic year. Voting

shall be according to the system of the single transferable vote.

4.6 As soon as may be practicable after representatives on the Executive Committee of the Faculty, of undergraduate students, and of graduate students shall have been chosen for the ensuing year, the Executive Committee shall present to the Council by mail the names of at least six members of the Council whom it nominates to serve terms of one year as members of the Executive Committee, those terms to begin at the beginning of the next academic year. Additional nominations may be made from the floor at the next meeting of the Council. As soon after that meeting as may be practicable, the Secretary of the Council will mail to each member of the Council ballots containing the list of nominees, with instructions to return his ballot to the Secretary by noon of the day ten days later, at which time the poll shall be closed. Three members of the Executive Committee shall be elected from among the nominees, and voting shall be according to the system of the single transferable vote.

4.7 Any member of the Executive Committee may be recalled by the body by which he was chosen. Such a recall vote shall be held upon petition of one-fourth of the members of that body, or as may otherwise be provided by it. A majority of the votes cast for recall shall cause the recall of the member and his seat shall thereby become vacant.

4.8 If a vacancy shall occur in any post on the Executive Committee of the Council before the member elected to that post shall have completed his term, the vacancy shall be filled for the remainder of the unexpired term in the same manner in which the member who held the post was chosen; excepting that, where but one vacancy is to be filled, election by the system of the alternative vote shall be deemed equivalent to election by the system of the single transferable vote.

4.9 A quorum of the Executive Committee shall consist of five of its voting members.

4.10 The President of the University, or in his absence the Provost, shall preside at meetings of the Executive Committee, and may call meetings of the Executive Committee at his discretion. The President of the University, or in his absence the Provost, shall call meetings of the Executive Committee as

these are necessary to carry forth its work or when requested to do so by at least five of its members.

4.11 The Secretary of the Council shall meet with the Executive Committee but shall be without vote, unless he shall be a regularly elected member of it. It shall be his duty to keep the minutes of all meetings and to make public the recommendations and proceedings of the Executive Committee in such manner as it may direct.

5

5.1.1 The Council may from time to time establish standing committees, or temporary and special committees, and prescribe their responsibilities and their membership. The following, however, shall be Charter committees, and the provisions in this Charter regarding them shall be subject to change only in accordance with Part Six of this Charter:

1. The Executive Committee
2. The Committee on Rights and Rules
3. The Committee on Governance
4. The Committee on Priorities
5. The Committee on Relations with the Local Community
6. The Committee on Resources
7. The Judicial Committee

5.1.2 Members of the committees of the Council need not be members of the Council, and, unless otherwise provided, members of committees of the Council shall serve for a term of one year, but without limitation as to re-appointment.

5.1.3 Unless otherwise provided, the Chairman of each of the Charter committees shall be one of its members, as that membership is defined in this Charter; and he shall also, normally, be a member of the Council. The chairmen of Charter committees, except for the Committee on Priorities, shall be appointed for a term of one year, but without limitation as to re-appointment. It shall be the duty of the Chairman of each Charter committee to acquaint all new members of his committee with its responsibilities and procedures, and he may, at his discretion, invite the attendance at meetings of his committee of persons who are not members of it.

5.1.4 Committees of the Council, with consent of the Executive Committee of the Council, may appoint sub-committees, and the members of such sub-committees need not be members of the Council.

5.2 *The Committee on Rights and Rules*

5.2.1 The Committee on Rights and Rules shall, on behalf of the Council, consider and investigate the adequacy of all rules regarding the conduct of resident members of the University community, and the adequacy of the procedures for making and applying such rules. At least once annually and more often if so requested by the Council or by its Executive Committee, the Committee shall report its findings with respect to these matters to the Council, together with any proposals it may have for changes in such rules or in the procedures for making or applying them.

5.2.2 The Committee on Rights and Rules shall consist of the Dean of the Faculty, the Dean of the Graduate School, the Dean of Students, four members of the Faculty, four undergraduate students, three graduate students, and one member from one of the other groups represented on the Council. A Legal Counsel shall meet with the Committee as may be necessary, but shall be without vote.

5.3 *The Committee on Governance*

5.3.1 The Committee on Governance shall, on behalf of the Council, consider and investigate questions relating to the governing of the University, and, at least once annually and more often if so requested by the Council or by its Executive Committee, it shall report its activities, submitting to the Council any proposals it may have with respect to the governing of the University. The Committee shall also consult with the Executive Committee of the Board of Trustees regarding the filling of vacancies among the Charter Trustees and the Term Trustees, presenting to the Executive Committee of the Board its views with respect to the qualifications to be sought in nominees to fill such positions, suggesting names of persons that should be considered as nominees, and commenting upon the qualifications of persons suggested as nominees. Further, the Committee shall meet with the Committee on Honorary Degrees of the Board of Trustees, to consult with it concerning the awarding of honorary degrees.

5.3.2 The Committee on Governance shall consist of the President of the University, three members of the Faculty, two undergraduate students, one graduate student, and one member from one of the other groups represented on the Council.

5.4 *The Committee on Priorities*

5.4.1 The Committee on Priorities shall review the current budget as early in the academic year as may be practicable. It shall also consider issues that have arisen in the course of the preparation of the budget and shall review plans for the development of the University in advance of any final decisions with respect to such plans. The Committee may advise the President with respect to all these matters and shall from time to time report to the Council on the issues before it.

5.4.2 The Committee on Priorities shall consist of the Provost, who shall be its Chairman; the Dean of the Faculty; the Financial Vice-President and Treasurer; six members of the Faculty, among whom each Division must be represented by at least one member and the non-tenured faculty by at least one member; four undergraduate students and two graduate students, chosen with due consideration to the variety of interests represented in the student body; and one member from one of the other groups represented on the Council. The Director of the Budget and the ranking administrative officer responsible for development shall meet with the Committee, but shall be without vote. The Director of the Budget shall serve as the Committee's Executive Secretary.

5.4.3 The Committee on Priorities shall normally meet with the President of the University, to whom it is advisory.

5.4.4 Members of the Faculty who are appointed to membership on the Committee on Priorities shall be appointed to a term of three years, with the terms of two of such members to be completed each year. Other members of the Committee shall also be appointed with a regard to the continuity of the Committee's membership.

5.5 *The Committee on Relations with the Local Community*

5.5.1 The Committee on Relations with the Local Community shall consider, on behalf of the Council, the University's relations with the local community; and, at least once annually and more often if so requested by the Council or by its Executive Committee, the Committee shall report its activities

to the Council, submitting any proposals it may have for improving the University's relations with the local community.

5.5.2 The Committee on Relations with the Local Community shall consist of the Financial Vice-President and Treasurer, or his representatives, and two other administrative officers with duties relevant to the Committee's work; four members of the Faculty; three undergraduate students; two graduate students; and four members from other groups represented on the Council.

5.5.3 The Committee on Relations with the Local Community shall inform the President of the University and the Executive Committee of the Council of plans to consult members and officials of the local community or to gather information from members of the local community.

5.6 *The Committee on Resources*

5.6.1 The Committee on Resources shall consider, on behalf of the Council, questions of general policy concerning the procurement and management of the University's financial resources, and, at least once annually and more often if so requested by the Council or by its Executive Committee, shall report its activities to the Council, submitting any proposals it may have for changes in the general policies of the University with respect to the procurement and management of financial resources.

5.6.2 The Committee on Resources shall consist of the Financial Vice-President and Treasurer; the Chairman of the Department of Economics, or his representative; four members of the Faculty; three undergraduate students; two graduate students; and one member from one of the other groups represented on the Council.

5.7 *The Judicial Committee*

5.7.1 The Judicial Committee shall hear and decide, in the first instance or on referral by another judicial body of the University, cases that involve alleged violations of those established rules and regulations whose violation constitutes a serious infringement of the recognized rights of members of the University community, a serious offense against the University's mission, a threat to the ability of the University to carry on its essential operations, or a substantial impairment of the common and legitimate interests of the University

community. The Judicial Committee may also decide to hear appeals from persons found guilty of violating established rules and regulations, when it has been alleged by such persons that the proceedings against them have not been fair and reasonable.

5.7.2 The Judicial Committee shall consist of three members of the Faculty, two undergraduate students, one graduate student, one member from one of the other groups represented on the Council, and a Chairman, all to be appointed as provided in Part Four, Section One above, and with a regard to continuity in the membership of the Committee. The Chairman of the Judicial Committee shall be without vote, except in the case of a tie vote among the members present and voting.

5.7.3 Appointment to a position on the Judicial Committee shall be contingent on the appointee's recognition of the Committee's judicial role and a commitment on his part to apply established rules and regulations impartially to the facts of individual cases. Prior to his acceptance of an appointment to the Judicial Committee, each appointee shall have examined such rules and regulations and shall have certified his willingness to apply them impartially. Should a case arise in which a member of the Judicial Committee finds that he cannot in good conscience apply established rules and standards, he shall be replaced on the Committee for that case only by a member of a panel of alternate members, which shall have been appointed by the Executive Committee of the Council, with the Council's consent. If this procedure does not provide a complete committee to hear the case, additional alternate members shall be appointed by the Executive Committee of the Council, with the consent of the Council.

5.7.4 No one holding a position on the Judicial Committee shall be a member of the Administration directly responsible for enforcing rules of conduct or for keeping order on the campus, or a member of the Council or a candidate for a position on the Council, or a member of the Undergraduate Assembly or a candidate for a position on the Undergraduate Assembly, or a member of a University-wide body representing graduate students or a candidate for membership in such a body, or the member of any other judicial body of the University; and

no member of the Judicial Committee shall be a judge of his own case.

5.7.5 The President of the University may review decisions of the Judicial Committee, and he may reduce any penalties imposed but may not increase them.

5.7.6 The Judicial Committee shall submit written reports on its disposition of cases to the Council, the Faculty, the Undergraduate Assembly, and a University-wide body representing graduate students, and to other bodies as may be appropriate.

6

Amendments to this Charter may be proposed by any five members of the Council, by any of the bodies that elect representatives to the Council, or by a University-wide body representing graduate students. A vote of two-thirds of the membership of the Council shall be required to amend this Charter.

7

The Council shall be deemed established, and shall have its full authority as prescribed in this Charter, when at least two-thirds of its members shall have been chosen.